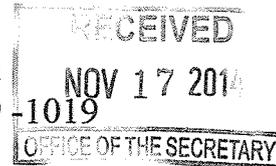


United States of America
before the
Securities Exchange Commission
100 f St. Ne Washington D.C. 20549



Release no. 72974 sept 3rd 014
Administrative proceeding
File no. 3 - 15628.

Nov 13th 014
Sent us .mail

In the matter of Daniel Imperato
Respondent.

Motion Full commission and admin. Law judges review
Enforcement Dallas regional office is in violation of the
united states constitution lead by mc cole esq. and his
director.

Objection (don't not a firm a proceeding that has used only
evidence from and appeals case in violation of due process
and denaturalization with no evidence supporting me acting's
as a commission broker by and selling securities.)to
enforcements response to initial decision.

Commissioners please do the right thing dismiss these
proceedings .

Please contact the fbi and find my file and what I have done
to protect our nation and our citizens as a good will
gesture and as citizen of the united states see how I
cooperated . Please do it .

The same kind of false accusation tried the same trick in
2004 ,2005 when they called me a crook and thief and stolen
9 mm dollars ,all lies ,false as well as in 2000 when I was
reviewed by your sec. mr banyans ,my projects were fraud
false ,all lies and mr banyans even stated such said I was
the most cooperative person and I was very straight forward
and proved all in sitting meetings not on a paper witch
hunt like these all false allegations have been paper with
oine side testimonies and no cross examinations violation of
due process of law. period the law is the law

From day one mc cole said he never read my files or
pleadings or responses to the complaint that he said he
never received by mail which was sent and signed for.
He said he was just told to litigate against me.

All I asked for a fair chance to defend my self and with out evidentiary hearings and a paper court with prejudice representatives of the court who are jury ,judge ,and prosecutor with no hearings .

I met mc cole once face to face in Miami at settlement conference were he signed and settled this matter and then thru up the integrity of the whole commission .
Case closed all dates were terminated (see attached)
Dockets proven my constitution rights were violated period repugnating those false judgments entered by judges and lawyers whom are in treason against the united states constitution.

Imperato demanded to see evidence that is genuine factual and material concerning Imperato acting as a stock broker as Webster's definition has provided or repugnancy and vacation of these proceedings as matter of law of the land in violation of the due process clauses and the judiciary acts(1789) amongst other, as well as the premeditated conspiratorial settlement agreement (decoy ,trickery)signed and agreed to by mccole closing case with no objections by enforcement and then breeching its own settlement demands by perjury and false statements in court. (take oath and take the stand mc cole)

Continued false statements made in this response which has not addressed my issues what so ever(continued same old presentation of false claims unsubstantiated and repugnant (hear say)with no evidentiary hearings or trial by jury) and has provide no evidence what so ever under the standard of the commissions rule.

Please review the enclosed documents (exhibits) provide to the enforcement in 2007.

This continued harassment is really setting a very ugly unfair precedence for the commissioners whom have rules and regulations.

The judge Elliot (ordered)stated in his first notice that I would have a chance to clear my name for all of what has been done to me as in denaturalization , illegal and un law full judgments with no cross examinations on the bias witnesses as well as no evidence hat so ever that I ever acted and sold imperaili inc SHARES

Discovery motion (**please provide copy of the stocks and one copy of commissions and one copy of a sworn statement by a third party unrelated to imperiali s management or the sec. please provide the exact**

amounts sold and the names of the persons sold to and dates with copies of cancelled checks ;payable to Daniel Imperato)as a broker for a commission nor ant evidence to meet the standards of the sec. concerning scienter as in sec. v rappoport ordered by judge Eliot and ignored . In addition it was ordered for an alike trail by jury in the public in Washington of which I am still waiting for . Until such time =that my constitutional rights are restored as in due process clause of the 5th amendments as in hurtado v California then theses hearings and lower court judgments are repugnant and void . As a matter of the laws of the land as well as in accordance with the judiciary acts of 17 89 which have been violated . Please take a moment commissioners to look at the circumstances .

I never had an evidentiary hearing or proceeding with mc cole ,he settled case signed and affirmed a settlement then purged himself. Then my jury trail taken away .

Both mcole and judge Hopkins with notice to the court and judge Ryskamps overruling were asked to be dismissed by the defendant for fear pf a fair trial as well as asked to get legal consul from the ins. Company and was mooted and denied .

In addition the magistrate judge Hopkins non consented to whom set up settlement conference by order of judge Ryskamp for senor magistrate judge Palermo as a master which is a directed settlement(unlawfull) which took palce long after the statues of limitations and exfacto laws used to circumvent the laws of the land and the commissions rules as well as lack of prosecution with no cease and desist after ampel (sec rules violated by enforcement) time in accordance with sec. rules to file complaint of administration proceedings in 08,09,010 ,011.

sorry this is inadequate improper and a set up and black balling me ruining my life reputation and income.

Whet would you thin k when mc cole said from day one settlement agreement is sent ,prior to such case mike gunst state we need money Danny we know you're a visionary we talked with kyle Hauser but we need money. Sec. is broke .

Then mc cole stating he knew who this did to me asked if I was I nuts and drugged up and if I spoke Slovak when 6 months before a Slovak speaking lady(fiancée of regus ceo assistance Mr. hadfield)mothers child was taken from her(

using thus case stating the case non public information 6 months before and settling same tome with fiscina the reasonable party to the sec.) with support or regus corporation from Dallas and support from Ashcroft law firm stated by former justice department investigator ,as well as irs filing false claims and collections against me and sec. filing false claims. The sec. stated that my company was a ponzi scheme(impossible lies) and empty well that's just false and bull .

Magistrate Palermo stated in the settlement hearing I must settle because Marco Rubio is a liar on there occasions, (put them on the stand) then my ex wife stated in in court that rep, Hager ,Romney camp(lord Ashcroft) wants Rubio as vp and they want you out of the way and I if don't be kind to her and support republican s then they will destroy my life . So tell me commissioners no due process, e=xtsortion and unsubstantiated claims by enforcement in Dallas as fraud upon the court from Dallas office.

As in Spencer barasch and oig 496

(political abuse of power in your own organization in Dallas texas with irs in Texas. Will all come out)

some one is black balling me and being paid and the enforcement and irs worked with ms. learner and her colleges as well as Schulman (will come out soon enough on national tv) and ruined my life when I am a proper honorable citizen whom worked as a public servant (running for president 08 and governor 010 why would I open up my life if I was a crook please tell me)as food will and earned many from my honesty and integrity , which I am being stripped off because of black balling and false claims. Political assassination and bribery .

All I asked (afforded and deserved by my rights under the united states constitution)was a fair trial by jury and a fair public like proceeding with your admin. Both have been denied which is direct violation of due process and criminal in fact interfering with commerce.

Treason AGAINST THE CONSTITUTION VIOLATING THE OATHS OF OFFICE .

Please see query reports all hearing terminated and mc cole couldn't come in because of 1500 expenses what a lame duck excuse .(soon to be heard in court on the stand on national television)

Please commissioners have a heart(mercy) and mind and soul and look at facts and get in my shoes for a minute and asked what you would feel like if your government employees have conspired with such unlawfull acts and violations to ruin your life.

I am tired of my 4th amemnd rights being violated by continued lies and perjury by mc ole and others and continued requests for the same documentation over 10 times now.

Your bogus claims and repugnant judgments(4 million dollars of which I personally never earned and could never pay evidenced by irs audited statements) an have placed me and my family in involuntary servitude against the united state s constitution ()as well as the fact that the judgments and your proceedings and initial determination are damages that exceed 20 dollars as well as the imprisonment is more then 1 year which is legally a criminal case which deserves me legal consul provide by my government(61 wall).

Any imprisonment term ordered for more then one year is considered a criminal case and I deserve a lawyer provide by the government because your judgments are for life . I deserve a trial by jury of peers and was denied . This case must be turned over to the justice department at once

The enforcement has provided no evidence what so ever concerning allegations of acting as a stock broker.

All I am requesting is for the commission, judges and representatives of my government to uphold hold the laws of the land of which they are legally obligated to do so.

Please provide proof positive not bias statements from prejudice persons whom are out to protect themselves and government representatives whom questioned them under their own line s of questioning ass well as their own determinations written .

Please allow for due process ,cross examinations and don't make rulings on here say alone its unlawful .with no cross examination and questioning of the parties used in theses proceedings as witnesses to a crime that was not committed by me would be a disgrace to this federal process ,unlawful and setting of bad precedence.

Imperato has provided evidence to the contrary.... Case was settled and closed by the same recommendations and judge with no objections by enforcement forfeiting their rights to

any appeal.

Mc cole lied to the court by stating there was no settlement agreement and I should have known that the case was not closed as well as he stated I did not comply with financial information which is a lie.

Settlement agreements and financial information's was filed with the court and sent to Tina justice by pre paid ups.
perjury

Selling un reg. Securities with an exempt private placement blue skied is just blatant false claims.

These proceedings are concerning stock brokerage activities and violations which have not and cannot be proven in a court of laws with a jury trial of peers because I did not act as a stock broker and these proceedings must be dismissed because no evidence has been provided concerning the new charges against me in this proceeding which has no bearing on the appeals case except for the appeal case is based on violation of constitutional rights and the evidence cant be used in these proceedings during such appeal.

Sec. v first financial group Texas

In addition to which the assets of the company were real and mr Rupert knows well and was served the accounting and bookkeeping as well as the valuations back in 2007 with no objections and no cease and desist and no administration hearings concerning any of the imperaili responses to the commissions request in 2007 for with responses to enforcements questions and Rupert's questions with wells statements under oath by Imperato and still no prosecution (failure to prosecute)failing the proper procedural rules of the commission its elf sated in many pleadings .

These claims are false and bogus with use on non public information as well as conspiracy against citizens rights with holing evidences and filing a case after the required statues of limitations past using ex-facto laws which is unlawfull.....

Abuse of discretion and power

The enforcement has denied me my rights under the united states constitution (treason against the constitution)and the appeals court will hand down its ruling in accordance with such unlawfull acts .

In addition while enforcement say I retry the lower court case and I cant under collateral estoppels but yet they have not proven any evidence in accordance with

sec. v rapport

But yet the admin proc states that Imperato will have a chance to prove himself which has not taken place and no public hearing jury like has taken place as ordered and stated in the administrative proceeding first notice.(violation of the proc. due process)

nor have they proven the mind set of a scienter .

No evidentiary hearings with a paper trial by arbitrary unlawful prejudice passionate representative of the court which by law the judgments and orders are void....

Hurtado v California

Imperato has provided hard evidence with letters from the very 60/ 26 investor that Imperato did not call them as well as hard evidence concerning the valuations and operation of the company and its payroll which was paid by bank America payroll services with Charles Fisicna and john chaplic . Not Imperato he was not an employee .

Is The enforcement case false and redress to the supreme court will follow for violation of my constitutional rights and denaturailaition of my citizenship. As well as grand jury and criminal proceedings for the same .

Treason against the constitution

Full court review

under rule 60 (b) for relief(as matter of law) from judgments (attached) ordered repugnant to the united states constitution denaturalizing defendant with fraud upon the court automatic voidance of judgments as a matter of law of the land and procedural rules of this court.

Writ of mandamus

(de 145,147)

Grant relief under 28 usc & 1655 of the action and setting aside a judgment for fraud on the court.

Perlman v 322 west seventy second street co. inc. (cca 2d 1942)127 f (2d)716 3

Wallace v united states (cca 2d1944)142 f(2d)cert.den. (1944)323us 712.

Evidence in last 3 filings (de s) are affidavits and other shareholder correspondences with management and other documentation (never provide under rule 26 and 37 fed civ by the commission) (see cuban v sec.) (see Brady v Maryland) proof positive deserving relief as a matter of law when in fact the very essential elements of the sec. case naming 60 investors is in correct and that we had no books and records as well as virtually no assets .(frivolous nd egregious complaint) These allegations are fraud and false and it has been provided and proven to this court that the evidence clearly proves the essential elements of their case were and are and have been attacked required dismal and vacation of the repugnant judgments.

The judgments ordered by this court and entered were procured in direct violation of the united states constitution and are void automatically as a matter of laws of the land. Due process of law and must be vacated and are repugnant and automatically void .

(See hurtado v California)

Article III crs annotated construction

See Marbury v Madison

Treason against the us constitution

A constitution is in fact ,and must be regarded by the judges ,as a fundamental law.

Through deciding all the matters ,the chief justice wound up concluding that sec. 13 authorization was an attempt by congress to expand the courts original jurisdiction beyond the constitution prescription and was therefore void. As in the judgments entered against the defendant unconstitutionally and void.

Because the constitution is a superior paramount law ,it is unchangeable by ordinary legislature ,repugnant to the constitution, is void ,does it not withstanding its validity ,bind the courts, and oblige them to give effect. The answer ,thought the chief justice ,was obvious . It is emphatically province and duty of the judicial department to say what the law is ...if two laws conflict with each other ,the courts must decide on the operation of each.

So if a law be in opposition to the constitution ,if both the law and the constitution apply to a particular case ,so that the court must either decide conformably to the

constitution ,disregarding the law, the court must determine which of these rules governs the case .this is the very essence of judicial duty.

The judicial duty was violated in this case and the judgments and orders by the magistrate non consented and the judge are void as a matter of the laws of the land.

The judgments were entered under exfacto laws of Sarbanes oxley 2002 and in favor of dodd -frank 2010 and against the 34 40 acts rules and regulations past the statute of limitations. As well as in violation of rule 26 and 37 .

As in (cuban v sec.)

Suppose he stated The congress laid a duty on an article exported from a state or passed a bill of attainder or ex post facto law or provided that treason should be proved by the testimony of one witness . Would the courts enforce such laws in the face of an express constitution provision .

They would not ,he continued because their oath required by the constitution obligated them to support the constitution and to enforce such laws would violate the oath.

The judge s and consul Cleary violated the us constitution and didn't recuse them self and entered repugnant court orders and judgments that are void.

Reminding this court and the judges under federal constitutional standards is soundly based in the supremacy clause ,which makes the constitution and constitutional laws and treaties the supreme law of the land to effectuate which congress enacted the famous sec. 25 of the judiciary acts of 1789. Five years before marbury v madison county ,the court held invalid a state law as conflicting with the terms of a treaty and seven years after chief justice Marshalls opinion a state law was voided as conflicting with the constitution.

The judgments are conflicting with the constitutional laws and are repugnant in this matter and void.

A case law of equity consists of the right of one party ,as well as of the other ,and may truly be said tpo arise under the constitution or law of the united states ,when ever its correct decision depends upon the construction of either .passing on the power of the supreme court to review such decisions by state court s,he said let the nature and the objects of our union be considered ;let the great fundamental principles on which the fabric stands ,be

examined and we think. ,the result must be ,that there is nothing so extravagantly absurd ,in giving to the court of the nation the power of revising the decisions of local tribunals ,on questions which effect the nation, as to require that words which import should be restricted by a forced construction.

Void the judgment your honor it is your duty ,oth and obligation to uphold and protect the laws of the land and if not it is treason against the united states constitution and interference with interstate commerce and may be criminal acts made on your behalf .

Gibbons v ogden 1824
Near v Minnesota 1931
Mapp v ohio 1961
Gideon v wainright 1963

The judgments are for life and the bar is for life which is over one year of imprisonment/confinement(involuntary servitude) and based on such length the judgments and out come are criminal and the parties deserve protection and legal consular appointment by the courts.

Miranda v Arizona 1966

When the defendant invoked his Miranda rights un the 5th amendment based on prior states made under oath the sec. and the court mooted those rights once again in violation of the constitution

All laws which are repugnant to the constitution are null and void

Cleary a federal law which is contrary to the constitution is no law at all ,it is null void invalid .

When you become a violator of the constitution you have sworn before high heaven to uphold ,and perjure your self before god ,then I will maintain the right ,and leave you to take the wrong just as you please .

The lord almighty requires this people to observe the laws of the land ,to be subject to the powers that be so far as

they abide by the fundamental principles of good government ,but he will hold them responsible if they will pass unconstitutional measures and frame unjust proscriptive laws ,as did nebuchadnezzar and darius ,in relation to the Hebrew children and DANIEL

If lawmakers have a mind to violate their oath ,break their covenants and their faith with the people ,and depart from the provisions of the constitution ,where is the law ,human or Devine ,which binds me, as an individual to outwardly and openly proclaim my acceptance of their acts.

All laws that are proper and correct ,and all obligations entered into which are not violative of the constitution should be kept inviolate .but if they are violate of the constitution ,then compact between the rulers and the ruled is broken and obligations ceases to be binding .

Defendants obligations under repugnant judgments ceased and non binding as a matter of the laws of the land.

This court has jurisdiction to sua sponte vacate the repugnant judgments at once in accordance with the laws and as a matter of laws of the land.

Schram v saftey investment co (ed mich 1942)45 supp. 636

Miller v united states (cca 7th 1940)114 f (2d)267

Hazel -atlas glass co. v Hartford empire co (1944)322us 238.

FRAUD UPON THE COURT IS AND EXPRESS GROUND FOR RELIEF BY INDEPENDENT ACTION INSOFAR AS ESTABLISHED DOCTRINE PERMITS AND THE RULE DOES NOT LIMITED THE POWER OF THE COURT WHEN FRAUD HAS BEEN PERPETRATED UPON IT TO GIVE RELIEF UNDER THE SAVING CLAUSE

1. Mistake ,in advertence ,surprise ,or excusable neglect

a. mistake was made when the plaintiff entered ,signed and notarized a settlement agreement and then arbitrarily ,capriciously in concert with the non consented magistrate judge whom closed the case under his recommendations ordered by Judge Ryskamp who then over ruled Judge Ryskamps order and reopened a closed case with no motion or notice or service or such order to the defendant denying defendant due [process and equal access to the court when the magistrate was requested to be recused with his counter part mc cole

esq. for conspiring together and entering a improper summary judgment partial final order which is void and has no authority as a matter of laws of the land and court rules and procedures as well as in violation of the judiciary acts and the magistracies acts of these united states of Americas federal system .

2. Newly discover evidence that with reasonable diligence ,could not have been discovered in time to move for a new trial (rule 59 (b) motion was made timely and should have affected the finality of the repugnant judgment but was ignored. **More evidence in last 2 filings (de)**

a. the defendant filed affidavits from other employees and directors with in the motion rule 59 and was ignored .Those affidavits clearing prove that the essential elements of the sec. bogus false claims against Imperato are invalid and have never been proven by any court standards of any laws in these untied states of America s federal system. The entire case was fraud and false when the defendant filed substantial physical evidence attacking the very essential elements of the sec. case and he was ignored and the misrepresented when mc ole stated that there were no material factual evidences of disputed facts presented to the court which is perjury , false and fraud upon the court in concert with a magistrate judge who also stated that defendants motions had merits ,and then mooted them all and said he never entered any such order and stated then (oh I see) said the blind man. seen and evidenced in the only hearing telephonically with the non consented magistrate judge whom became partial to the plaintiff because of his being caught denying his own order under oath .

b. defendant filed motion under 59 b and was denied a hearing and ignored by this court and by the plaintiff with no response to the motion by the plaintiff what so ever .

c. defendant is still awaiting hearing for the motion for over 9 months now.

3. fraud (whether previously called intrinsic or .misrepresentation or misconduct by opposing party

a. the plaintiff Cleary misrepresented the facts of the case , and defrauded the court with false statements and violations of rules of prof. conduct as a representative of this court.

4. The judgment is void

a. the repugnant judgment is void as a matter of the laws of the land and the united states constitution.

Hurtado v california. (due process of law was denied the defendant voiding the repugnant judgments ordered on or about nov. 8th 2014. And then arbitrarily with out leave from the appeals court amended by the plaintiff with out a hearing sua sponte .

b. mc cole purged himself in the final courtesy hearing with the judge ryskamp stinting that there was no settlement agreement and when the judge stated that defendant did not provide what was required of the settlement agreement as well as changed the amount of the alleged victims from 60 to 26 but never adjusted the amounts of the repugnant judgments.

c. the judge stated the judgments were academic but yet mc cole has now with his counterparts trying to collect 4 million dollars by using the united states treasury as a front with a (top) directing ,passionate ,willfully to destroy a mans life liberty and pursuit of happiness when in fact there are no evidences what so ever presented to this court and cross examined as to the repugnant extortion judgments that re a disgrace to this court and the precedence set with in this court .

6. Any other reasons that justifies relief.

THE LEGAL COUNSEL AND THE MAGISTRATE BOTH WERE REQUESTED TO RECUSE THEM SELF UPON MOTION TO THIS COURT WHEN THE DEFENDANT WAS THREATEN AND FEARED FOR A FAIR PROCEEDINGS AND EVIDENTIARY HEARINGS THAT NEVER TOOK PLACE . THE BOTH REPRESENTATIVE OF THIS COURT ONCE NOTICED HAS THE DUTY TO RECUSE THEM SELFS AS A MATTER OF LAW AND JUSTICE AND DUE PROCESS AND THEY DID NOT RECUSE THEMSELVES . THE SENIOR JUDGE AS WELL DID NOT ORDER THE RECUSAL AND THE DEFENDANT WAS DENIED DUE PROCES POF LAW WHICH VOIDS ANY AND ALL ORDERS OBTAINED BY THOSE REPRESENTATIVES .

a. this court must adopt a hard line position against litigants who engage in deceitful and obstructionist conduct ,the state of the court of appeals said judges can toss out a case when clear and convincing evidence shows that an individual attempted to dupe the court.

Fraud on the court warrants heavy sanctions including the striking of an offending parties pleadings and dismissal of the action.

In *Creances sas v Cohen* 81, the court adopted the clear and convincing standard of proof embraced by some federal court rather than a more stringent standard that the defendants in this case sought. The decision provides a virtual road map on how a fraud on the court finding is made and the consequences for offenders.

Rivera said the standard applied by the federal courts is sufficient to protect the integrity of our judicial system and discourage the type of egregious and purposeful conduct designed to undermine the truth seeking function of the courts, and impede a party's efforts to pursue a claim or defense.

The court said that to establish fraud on the court, the non-offender must show that the offender intentionally set in motion a scheme to hinder the fact-finders' adjudication of the case. However, the court cautioned dismissal is an extreme remedy that should be reserved for particularly egregious conduct.

Dismissal is the most appropriate in cases like this one where the conduct is particularly egregious characterized by lies and fabrications in furtherance of a scheme designed to conceal critical matters from the court and the non-offending party where the construct is perpetrated repeatedly and willfully, and established by clear and convincing evidence such as the documentary testimonial evidence found here in this case.

MC COLE purged himself period black and white and lied to Judge Ryskamp and withheld evidence in favor of the defendant and denied due process and evidentiary hearings deliberately which is fraud upon the court evidenced in the dockets)

Melcher v Apollo 52 Ad3d 244

People v Kancharia 82 and *People v Barone* 83

Fraud upon the court by an officer of the court and disqualification of judges state and federal

A judge (lawyer) is an officer of the court, as well as all attorneys. A state judge is a state judicial officer, paid by the state to act impartially and lawfully. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. State and federal attorneys fall into the same general category and must meet the same requirements. A judge is not the court.
People v Zajic 88 Ill App 3rd 4777, 410 Ne 2d 626 (1980)

Whenever any officer of the court commits fraud during a proceeding the court ,he pr she engaged in fraud upon the court .

Bulloch v united t 763 f 2d 1115,1121(10th cir 1985),the court stated fraud upon the court is fraud which is directed to the judicial machinery itself and its not fraud between the parties or fraudulent documents ,false statements or perjury ...its is where the court or a member is corrupted or influence is attempted or where the judge has not performed his judicial functionthis where impartial functions of the court have been directly corrupted.

Fraud upon the court has been defined by the 7th circuit court of appeals to embrace that species of fraud which does ,or attempts to defile the court itself ,or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial tasks of adjudging cases that are presented for adjudication Kenner v c.I.r. 367 f 3d (1968)the 7th circuit court further stated a decision produced by fraud upon the court is not in essence a descionat all .and never becomes final.

Fraud upon the court makes void the orders and judgments of that court

It is also clear and well settled in Illinois law that any attempt to commit fraud upon the court vitiates the entire proceeding.

The people of the state of Illinois v Fred e sterling 357 iii 354 192 ne 229(1934)
the maxim that fraud vitiates every transaction into which it enters applies to judgments as well as contracts and other transactions .

(Allen f moore v stanley f sievers336iii316,168ne 259(1929)
The maxim that fraud vitiates every transaction into which it enters in
re villiage of willowbrook, 37, ii app 2d 393 it is
axiomatic that fraud vitiates everything
durham v durham 57ii 475,(1894) affirmed 162,iii589(1896)
skellyoil co. v universal products co. 338 app 79, 86,ne 2d 875, 883-4(1949)
thomas stasel v the american home security corporation 362 ,iii 350,199,ne (1935)

Under federal law ,when any officer of the court has committed fraud upon the court the orders and judgments of

that court are void ,of no legal force of affect.

Mandatory Disqualification of judges

Federal law requires the automatic disqualification of a federal judge under circumstances .

In 1994 the us supreme court held that disqualification is required if an objective observer would entertain reasonable questions about the judges impartiality .

If a judges attitude or state of mind leads to a detached observer to conclude that a fair and impartial hearing is unlikely ,the judge must be disqualified .
Liteky v us 114, s ct 1147,1162 (1994)

Courts have repeatedly held positive proof of the partiality of a judge is not a requirement ,only the appearance of partiality

Liljberg v health services acquisition corp. 486,us 847,108 s ct 2194 (1988) what matters is not the reality of bias or prejudice but its appearance united sates v ballistieri 778 f 2d 1191(7th cir. 1985) section 455(a) is directed against the appearance of partiality .(section 455 (a) of the judicial codes 28 usc &455 (a) is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.

That court also stated that section 455 (a) requires a judge to recuse himself in any proceeding in which her partiality might reasonably be questioned , taylor v ogrady 898 f 2d 1189(7th cir.1989). In pfizer inc. v lord 456 f 2d 532 (8th cir. 1972) the court stated that it is important that the litigant not only actually receive justice ,but the believe that he has received justice.

The supreme court has ruled and has reaffirmed the principle that justice must satisfy the appearance of justice

See Levine v united states 362 us 610 80 s ct 1038(1960) citing offut v united states 348 us 11 14 75 s ct 11,13, (1954)

a judge receiving a bribe(doing a favor) from and interested party over which he is presiding does not give the appearance of justice.

Recusal under section 455 is self-executing a party need not file affidavits in support of recusal and

the judge is obligated to recuse himself sua sponte under the stated circumstances (see Taylor v Ogrady 898 ,f 2d 1189 (7th cr. 1989)

Further the judge has a legal duty to disqualify himself if there is no motion asking for his disqualification .

The seventh circuit court of appeals further stated that we think that this language 455 (a) imposes a duty on the judge to act sua sponte ,even if no motion or affidavit is filed balistrieri at 1202.

Judges do not have discretion not to disqualify themselves by law, they are bound to follow the law. Should a judge not disqualify himself as required by law ,then the judge has given another example of his appearance of partiality which possibly ,further disqualifies the judge.should another judge not accept the disqualification of the other judge ,then the second judge has evidenced an appearance of partiality and has possibly disqualified himor herself.

None of the orders issued by any judge that has been disqualified by law would appear to be valid .

It would appear that they are void as a matter of law and are of no legal force or effect.

Should a judge not disqualify him or herself then the judge is violation of the due process clause of the u.s. constitution .

United states v sciuto 521 f 2d 842 (7th cir.1996) the right to a tribunal free from bias or prejudice is based ,not on section 144,but on the due process clause.

Should a judge issue any order after he has been disqualified by law ,and if the party has been denied any of his or her property ,then the judge may have been engaged in the federal crime of interference with interstate commerce . The judge has acted in the judges personal capacity and not in the judicial capacity .

It has been said that this judge ,acting in this manner ,has no more lawful authority than some one next door neighbor

provided that he is not a judge . how ever some judges may not follow the law.

If you are a non represented party ,and should the court follow the law as to non-represented litigants then the judge **has expressed an appearance of partiality and under the law it would seem that he or she has disqualified him or herself.**

How ever since not all judges keep up to date with the law ,and since not all judges follow the law .it is possible that a judge may not know the ruling of the u.s. supreme court and the other courts on this subject. Notice that it states disqualification is required and that a judge be disqualified under certain circumstances.

The supreme court has also held that if a judge wars against the constitution ,or if he acts with out jurisdiction ,he has engaged in treason to the constitution . If a judge acts after he has been automatically disqualified by law ,then he is acting without jurisdiction ,and that suggest that he is then engaging in criminal acts of treason ,and may be engaged in extortion and the interference with interstate commerce.

Courts have repeatedly ruled hat judges have no immunity for their criminal acts . Since both treason and interference with interstate commerce are committed ,no judge has immunity to engage in such acts .

Fraud upon the court . No one is above the laws of the land. No one is above the oaths of the office taken to uphold and defend the us constitution .

Uphold the oath or become a criminal and treasonist against the united states constitution .

REPUGNANT AND VOID THE JUDGMENTS ENTERED IN VIOLATION OF THE LAW OF THE OF THE LANS .

It's the law abide by it

See butzv economou. 98,s. ct .2894(1978)

see united states v lee ,106 us at 220,1 s ct at 261(1882)

See gonzalaz v comission on judicial reform ,(1983)33 cal. 3d 350,371,374.

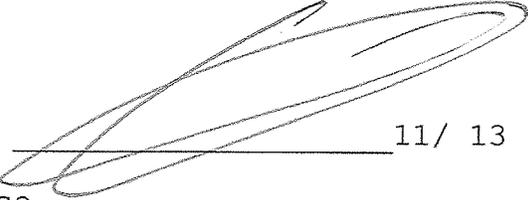
See owen v city of independence

See ryan v commission on judicial reform (1988)45 cal . 3d
518,533

Affidavit

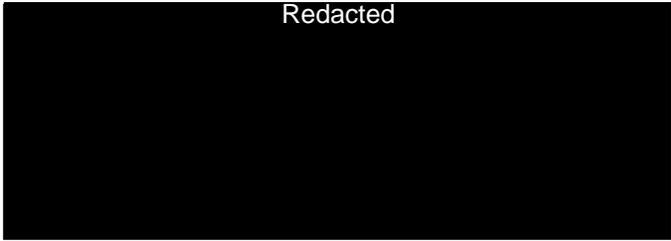
My name is Daniel Imperato ,I prepare this document I reside
at 529 south Flagler dr 29f west palm beach fl. 33401
I as best I could recollect and that I declare that to the
best of my knowledge and belief, that the statements made in
this document are true ,correct and complete.

I DID NOT WILLFULLY ,INTENTIONALLY OR IN A MIND SET VIOLATE
THE LAW.

Document prepared by  11/ 13 /2014

Daniel Imperato pro se

Redacted



United states district court
for the southern district of Florida
West Palm Beach Division

Copy
FILED

Securities and exchange commission,

Plaintiff

civil action no.: 9:12-cv-80021
klr

vs.

JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally,
and individually

Plaintiff motion to the clerk for recusal and disqualification of Judge Ryskamp and Magistrate Judge Hopkins at once based on prior involvement with matter in controversy and personal bias and prejudice.
28 usc &144 and 28 usc &455 (statutory basis)

Relief requested

Both Judges must be removed at once as a matter of law based on other elated cases in this court under their judgeships that are in question as to violations of the united states constitution as well as judiciary acts and federal rules of procedures which are all in question concerning the case # 9;12 cv 80021 and appeal # 13-14809

Affidavit

My name is Daniel Imperato I prepare this document I reside at Redacted

I as best I could recollect and that I declare that to the best of my knowledge and belief, that the statements made in this document are true ,correct and complete

State of Florida
Palm beach county

Sworn to and subscribed before me the undersigned notary public ,this day of . 2014

My commission expires

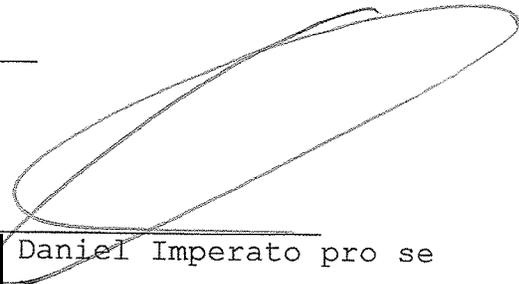
___ personally known ___ produces identification type produced _____

Exhibits X 1 - 15

Notary public

Daniel IMPERATO

Redacted


Daniel Imperato pro se

I hereby certify that a true and correct copy of the
forgoing has been sent to via ecf court systems.

Securities exchange commission
Timothy s. Mc Cole
801 cherry st. 19th fl
Ft worth Texas 76012
Tel 817 978 6453 fax 817 978 4927
Attorney for plaintiff
Email mccolet@sec.gov.

X2

Copy
Filed

United states district court
for the southern district of Florida
West Palm Beach Division

Securities and exchange commission,

Plaintiff

civil action no.: 9:12-cv-80021
klr

vs.

JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally,
and individually

Sept 30 th 2013

Motion by defendant IMPERATO for the court to order recusal/
disqualification of Magistrates judge Hopkins and dismissal
for denying the defendants his rights under the us
constitution due process clause and other. Motion to dismiss
at once .**See sd fla 1r 16.1 (m)** .

Motion turning this case over to the justice department for
criminal investigation notice by the defendant some time ago
in his motions.

Motion by respondent for **emergency** court order issued by
this court The Honorable Senior Judge Ryskamp to disqualify
Magistrate Hopkins from this case based on the interest of
justice , as matter of law and with legal sufficiency for
recusal and disqualification .

Comes now the defendant with sworn affidavit in accordance
with fl. Statutes chapter 38, 38.10 .

I Daniel IMPERATO am filing this affidavit in accordance
with fl. Stat. 38.10 as a party to this case I have had fear
that I will not receive a fair hearings in the past (in
Fact none I was denied)or any other further hearings such
as trial or other ,until such time the disqualification
takes effect.

X3

United states district court
for the southern district of Florida
West Palm Beach Division

Copy
Filed.

Securities and exchange commission,

Plaintiff

civil action no.: 9:12-cv-80021
klr

vs.

JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally,
and individually

Sept 6 th 2013

defendant

Motion by the defendant noticing this court of possible error in the courts efc system reopening case with out any motions or notice from this court of court ordered reopening of this case. Defendant motions this court for relief under rule 60 (B) and maintains his invocation and right to a trail by jury.

In the name of justice and due process of law in the event this court has not error the court shall be notice that the defendant rejects and doesn't consent to any summary judgment with out due process of law and this courts recognition as a matter of law that the defendant has never waived any rights under rule 60 (b) or any other court rule and maintains his invocations and constitutional rights to have this case heard and tried by a jury trial . (See defendants may 6 th 2013 and other filings in the court files.)

In addition the defendant never consented to a magistrate and requests this court for the senior Judge Ryskamp to hear this case in front of the jury in the event the efc has not error and the judge ordered this case reopened sua sponte.

Allowing for the defendant the opportunity to exercise his rights under the exhibited ins policy (page 3 . p) to appoint legal consul if so desired.

The defendant has been ready for trial from day one and stands ready for trial today and invoke his rights to a

X4

speedy trial granted him as a matter of law.

The defendant request all his motions to be reinstated and heard by this court and responded to by the commission since the commission has unilaterally reopened this case and with out any notice to the defendant and negated their settlement agreement agreed in front of the senior magistrate Judge Palermo at the settlement conference, by dealing in bad faith with no intention to settle ,but to continue to tie the hands of the defendant and run up his time and harass him so he can not enjoy his constitutional right to peace prosperity and the pursuit of happiness. Interfering with the ability to earn and income as well as making a mockery out of this court piercing the very heart of justice and setting a precedence that will erode the confidence of the people of this great state and our country concerning the integrity of the court and the orders set forth by the Judge which have been violated by the commission since the case began.

The defendant acknowledges this courts authority and the honorable Judge rulings to be in the interest of justice and as matter of law.

Document prepared by _____ 9 / 5 /2013

Daniel Imperato pro se

Redacted

West palm beach Florida 33401

Certificate of service

I hereby certify that the clerks office said e filing was fine from the court, there is no need to send a true and correct copy of the forgoing by us mail to,

Securities exchange commission
Timothy s. Mc Cole
801 cherry st. 19th fl
Ft worth Texas 76012
Tel 817 978 6453 fax 817 978 4927
Attorney for plaintiff
Email mccolet@sec.gov.

X5

United states district court
for the southern district of Florida
West Palm Beach Division

Copy
Filed

Securities and exchange commission,

Plaintiff

civil action no.: 9:12-cv-80021
klr

vs.

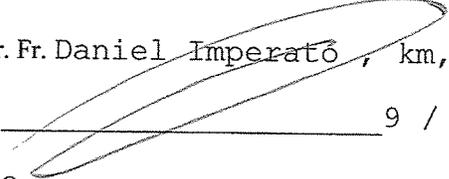
JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally,
and individually

Sept 11th th 2013

Motion by defendant for appointment of an arbitration/
mediation committee concerning this case.

Es/ Dr. Fr. Daniel Imperato, km, ssp, gm & ob

Document prepared by  9 / 11 /2013

Daniel Imperato pro se

Redacted



West palm beach Florida 33401

Certificate of service

I hereby certify that the clerks office said e filing was
fine from the court, there is no need to send a true and
correct copy of the forgoing by us mail to,
Securities exchange commission

Timothy s. Mc Cole

801 cherry st. 19th fl.

Fort worth , tx. 76102

X6

United states district court
for the southern district of Florida
West Palm Beach Division

Copy
Filed

Securities and exchange commission,

Plaintiff

civil action no.: 9:12-cv-80021
klr

vs..

JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally,
and individually

Sept 12th 2013

Motion by defendant IMPERATO moving this court to order the adjoining of the insurance policies to this case and notice that the defendant is posting the insurance fidelity bonds and d and o policies as bondable collateral for any and all claims that may arise for any and all alleged claims against the defendant. Ready for pretrial stipulations and trail by jury or arbitration. ***Policy numbers crime shield# csoohoo200 0105 06- 07- 08 for fidelity bond and navigators for d and o #ny08do1242364nv. See attached front page of policies.***

Comes now the defendant posting collateral as a bond to offset any and all claims that may arise from a jury trial or arbitration.

1. The defendant filed a case against navigators ins on . The honorable Judge Dimitrouleas dismissed the case based on a shot gun .

a. defendant will re file its case or motion the court to reopen the case and allow for amended filing. Case # 13-80442-civ.

b. This case is so complicated that with respect to the Honorable Judge Dimitrouleas he may have dismissed this case erroneously due to the in ability to interpret all the moving parts in error to fully determine the entire case . Based on the defendants pro se and handicap partial blindness .

X7

c. defendant will notice insurance companies both Hartford policies numbers crime shield# csoohoo200 0105 06- 07- 08 for fidelity bond and navigators for d and o #ny08dol242364nv.

The defendant with both policies will request arbitration concerning both policies and the defendants claims.

2. Based on the magistrate judge Hopkins in the only hearing the defendant has every had in this case.

a. the magistrate recommended and said the motion of Joinder had merit while denying all other motions including the motions with evidence proving the defendants innocence as well as hos constitutional rights to be preserved for appeal.

b. based on the magistrates recommendation evidenced in the transcripts submitted and filed with this court the defendant is motioning this court to order the enjoining of the policies as bondable security as well as consideration to enjoin the future arbitration or cases against the insurance companies by the defendant insurance against any claims arising against the company imperial inc and the directors and officers of the company.

c. the plaintiff has declined to joinder the insurance claims .

The defendant is insolvent and has no visible means of income till today since he has lost his income due the plaintiff false allegations against him and now the plaintiffs defaulting in bad faith and not completing settlement agreement as verbally and physically heard and ordered, to in front of magistrate Palermo which the clerk said there is no settlement so case is reopen.

d. the only means of recover of money would have been from the insurance polices since the defendant is insolvent the plaintiff denied magistrates Hopkins consideration .

f. this proves its not about money its about conspiracy to ruin my life and defendant deserves the right defendant that with trial by jury or by arbitration

Prayer fro relief

The plaintiffs denial of jurisdiction change to Miami enforcement office of the commission under mr. bustillo

X 8

regional office ,has denied the defendant due process of law as well as the defendants fear for a fear trail or hearing with Timothy M Cole based on conflict of interest and other current investigations on going into possible criminal activity be the plaintiff s consul and others re whistle blowers and FBI.

The defendant request in order to preserve the integrity of this trail that to remove any doubt McCole esq. licensed in Texas and Missouri. be reused and case moved to Miami .

In order for defendant to confer face to face save money for all parties as well as stop the forced pleadings and filings forced on the defendant making it look like he is overloading the court ,when in fact all this confusion and **so called erroneous court and Judge errors** would not have happened of this case was handle by the regional office of the commission allowing fro proper due process of law.

This case should be dismissed against the defendant IMPERATO for lack of prosecution and deliberately disallowing for due process of law and obstructing with justice by not making in convenient for the defendant to defendant his allegations on a face to face comparative based with the commission instead of filing every thing with this court .

The commission has used this court and has wasted the time of the court and has miss managed and misrepresented the whole process .

Defendant has motioned the court for dismissal and is awaiting the ruling by the Honorable Judge Ryskamp based on all the merits provide by the defendants motions and exhibits provided to this court .

Preserving the court integrity in the name of justice and preserving the defendants right to a due process of law.

Affidavit

My name is Daniel Imperato ,I prepared this document I reside at, 500 [REDACTED] Redacted Florida 3340

I as best I could recollect and that I declare that to the best of my knowledge and belief, that the statements made in this document are true ,correct and complete. As well as all my previous pleading ,filings statements and exhibits that

X9

are filed with this court. Defendant is handicapped, confused and distraught and has been seriously affected and damaged by the reopening of this case and insolvent .

State of Florida
Palm beach county

Sworn to and subscribed before me the undersigned notary public ,this day of . 2013

My commission expires

___ personally known ___ produces identification type produced _____

Notary public

Es/ Dr. Fr. Daniel Imperato , km, ssp, gm & ob

Document prepared by _____ 9 / 12 /2013

Daniel Imperato pro se

Redacted
[REDACTED]

Certificate of service

I hereby certify that the clerks office said efc system files electronic copies to the plaintiff and that's proper service . A true and correct copy of the forgoing was sent by efc system

Securities exchange commission

Timothy s. Mc Cole

801 cherry St. 19th fl.

Fort worth , Tx. 76102

Tel 817 978 6453 fax 817 978 4927

Attorney for plaintiff

Email mccolet@sec.gov.

X10

United states district court
for the southern district of Florida
West Palm Beach Division

Copy
Filed

Securities and exchange commission,

Plaintiff civil action no.: 9:12-cv-80021
klr

vs.

JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally,
and individually

Sept 30 th 2013

Motion by defendant IMPERATO for the court to order recusal/
disqualification of the plaintiffs counsel and request for
sworn statement affidavit from the plaintiff consul mc cole,
concerning conspiracy /conflict of interest ,as a matter of
law and defendants rights .

The defendant pleads that the sec. has thousands of lawyers
and disqualifying mc cole doesn't jeopardize the plaintiff
case ,but if not disqualified it certainly does.

***Mc cole esq. must immediately disqualify himself as a matter
of law.***

***See investigations concerning mc cole esq. fbi and sec
whistle blowers in process. Filed with the court
In the motions by defendant sept 2013.***

(EON Corp. IP Holdings LLC *See United States v. Miller*, 624 F.2d 1198, 1201 (3d
Cir.1980).

Kabi Pharmacia AB v. Alcon Surgical, Inc., 803 F.Supp.
957, 960 (D.Del.1992).

See In re Corn Derivatives Antitrust Litig., 748 F.2d 157, 160 (3d
Cir.1984).

***Apart from a sworn statement and affidavit from the
plaintiffs consul concerning motive and coersion in concert
with other parties on behalf of other commission personal or
commission instructions that effectuated this case.***

XII

Defendant demands under discovery to have the names of the commissions committee whom authorized the suit against IMPERATO and authorized the budget allocated to go to trial.

Defendant was denied this request under discovery as well as denied all conferring hearings in accordance with court orders.

The defendant has pleaded this motion through out the whole case since the first day and believes this case was filed in retaliation for defensive attack concerning the stealing of defendants step son from the mother now for over 2 years.

See case below.

Defendant has provided response motions and physical evidences linking the cases and setting the tone for a motive and conspiracy against defendant IMPERATO.

Comes now the defendant with motion to bar timothy mc cole esq. for the plaintiff from this case and all further proceedings .

Mc cole enter into a settlement agreement with defendant fiscina with out noticing all parties in the case 6 months prior to the case and the commission breached non public information in the same period.

See motions filed with this court in sept 2013..
As well as in volumes I ii ii filed in may 2013 by defendant responses to summary judgment motion by plaintiff.

The plaintiff case was filed after the statutes of limitations against the defendant.

See motions sept 2013 and volumes I ii ii with motions.

See attached exhibits

The see exhibits case a shadow of a reasonable doubt that there has been and is a conspiracy against the defendant IMPERATO in violation of the us constitution as well as obstruction of justice and other violations of laws .

See motions filed sept 2013.

Defendant is noticing this court to maintain jurisdiction concerning any counter claims and the affiliation of these case as evidence of this motions validity and for future

X 12

case that may be filed or adjoined.

Hadfield
Vs
stasiulionyte
Case #11007792
Appeal 4d12-25

See exhibit sworn statement Rasa stasiulionyte and other.

Motion by defendant for **emergency** court order issued by this court and Honorable senior Judge Ryskamp to disqualify timothy mc cole esq. from this case based on the interest of justice , as matter of law and with legal sufficiency for recusal/ disqualification and or disqualification .

Comes now the respondent with sworn affidavit in accordance with fl. Statutes chapter 38, 38.10 .

I Daniel IMPERATO am filing this affidavit in accordance with fl. Stat. 38.10 as a defendant in this case I have had fear that I will not receive a fair hearings or any other hearings or trial ,until such time the disqualification takes effect.

I have been denied my due process from day one and I have feared for my ability to receive a fair trail since the court continues to allow the magistrate to over rule the Senor judges orders as well as allow the plaintiffs to make a mockery out of this court and violate court orders and procedures.

This has continued thought out the past year and I hereby declare that I FEAR for the facts that I had no fear trial, and have had no fair hearings **and will not have any fair proceedings in the future in front of magistrate Hopkins until timothy mc cole esq. is barred and disqualified from this case.**

The opposing consul has withdrawn itself since I noticed them of my fear of having fair of due process based on prejudice and request disqualification of the judge any further proceedings based on my fear that I will not receive fair results from any further proceedings in this court and requested venue change in the interest of justice .

I hereby invoke my rights under oath (rule 2.60 (d) 1.)and in accordance with the laws of this great state (fl. stat. 38.10) and the constitution of the usa.

X13

The plaintiffs lawyers shall proceed no further.

Procedural rules Fla. R. Jud. Admin. 2160 .f.s. & 38.10 ,
Fla. Jud. 3e(1).

A judge can be recused so can a consular of law as a matter
of law and due process clauses in the US Constitution and
other violations by plaintiff consul.

*See Kendall Coffey, Inherent Judicial
Authority and the Expert Disqualification Doctrine*, 56 Fla. L. Rev. 195, 196 (2004).

Leach v. E.I. du Pont de Nemours & Co., No. 01-C-608. (Mem.
Supp. Pls.' Mot. Disqualify

Grant Thornton, LLP v. FDIC,
297 F. Supp. 2d 880, 882 (S.D. W. Va. 2004) (citing *Koch Refining Co. v. Boudreaux
M/V*, 85 F.3d
1178, 1181 (5th Cir. 1996)).

see also Koch Refining, 85 F.3d at 1181.

Wang Laboratories, Inc. v. Toshiba Corp., 762 F. Supp. 1246 (E.D.
Va. 1991

Palmer v. Ozbek, 144 F.R.D. 66, 67 (D. Md. 1992)).

WILLIAM R. RHODES, et al.,
Plaintiffs,
v. CIVIL ACTION NO. 6:06-cv-00530
E.I. Du Pont De Nemours and Company,
Defendant

Es/ Dr. Fr. Daniel Imperato , km, ssp, gm & ob

Document prepared by _____ 9 / 27 /2013

Daniel Imperato pro se

561-805 9494

529 s. Flagler dr. 29 f

West palm beach Florida 33401

Affidavit

My name is Daniel Imperato , I prepared this document I
reside at, [Redacted]
Florida 334 [Redacted]

I as best I could recollect and that I declare that to the best of my knowledge and belief, that the statements made in this document are true ,correct and complete. As well as all my previous pleading ,filings statements and exhibits that are filed with this court. **Defendant is handicapped, confused and distraught and has been seriously affected and damaged by the reopening of this case and insolvent .**

State of Florida

Palm beach county

Sworn to and subscribed before me the undersigned notary public ,this day of . 2013

My commission expires

___ personally known ___ produces identification type produced _____

Notary public

Certificate of service

I hereby certify that the clerks office said efc filing was fine from the court, there is no need to send a true and correct copy of the forgoing by us mail to, Securities exchange commission based on the efc notice from the court.

Timothy s. Mc Cole
801 cherry st. 19th fl.
Fort worth , tx. 76102

X15

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON D C 20549

DIVISION OF
REGULATION FINANCE

Stop 3010

December 10, 2009

VIA U.S. MAIL

Mr. Daniel Imperato
Interim Non-Executive Chairman Emeritus
Imperiali Inc.
222 Lakeview Avenue, Suite 160
West Palm Beach, FL 33401

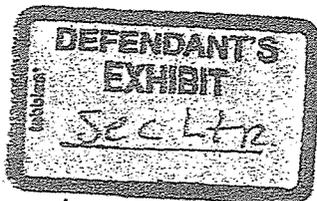
Re: **Imperiali Inc.**
Form 10-K for the fiscal year ended August 31, 2008
Filed December 16, 2008
File No. 000-52406

Dear Mr. Imperato:

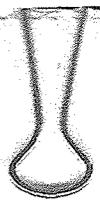
We have completed our review of your Form 10-K and do not, at this time, have any further comments.

Sincerely,


Daniel L. Gordon
Branch Chief



R-1-4



False Claims

Steve Katerina

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

(US a long office)

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

IMPERIALI, INC.,
DANIEL IMPERATO,
CHARLES FISCINA, and
LAWRENCE A. O'DONNELL,

Defendants.

Kevin Ruppert
Mike Runke
Civil Action No.: 9:12-cv-80021
ECF

Kevin Ruppert
Mike Runke
Check Books + Records
Ages 2007-2008
A UPS

Afternoon DePauw
Amount Criminal prosecution

(COMPLAINT)

1631
561-3531631 Mike Degarian
561-344-5301 (Shannon) (Curt)

Plaintiff Securities and Exchange Commission ("Commission") alleges as follows against

Defendants Imperiali, Inc., Daniel Imperato, Charles Fiscina, and Lawrence A. O'Donnell:

(Summary)

From 2005 through 2008, Imperato used his company, Imperiali, to carry out a securities-fraud scheme targeting Imperiali investors. In documents distributed to investors and in reports filed with the Commission, Imperato, along with Fiscina and O'Donnell, portrayed Imperiali as a thriving, multinational corporation that owned multiple, valuable subsidiaries. In reality, Imperiali was just a shell corporation, having virtually no assets or operations. Its subsidiaries were worthless or, in some cases, even non-existent.

2. From at least December 2005 through at least June 2007, Imperiali sold stock to approximately 60 investors, raising approximately \$2.5 million. In the stock offering, Imperato solicited investors directly. And he hired a commissioned sales team, which solicited investors by email and telephone "cold calls."

Judge Katerina



EXHIBIT (1585-416-6671)

David Securities litigation

2012
for
the

SEC
for
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W
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M
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state

Ann
OR
Enrollment
SEC
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Book
Seth
Patterson
Gordon

<u>11/2012</u>	<u>100</u>	Minute Entry for proceedings held before Magistrate Judge Peter R. Palermo: Settlement Conference held on 10/11/2012. Case settled in part - tentative agreement reached with one defendant. (gm1) (Entered: 10/11/2012)
<u>1/14/2013</u>	<u>101</u>	REPORT AND RECOMMENDATION Objections to R&R due by 1/31/2013 Signed by Magistrate Judge James M. Hopkins on 1/11/2013. (tmn) (Main Document 101 replaced on 1/14/2013) (tmn). (Entered: 01/14/2013)
2/13/2013	<u>102</u>	Minute Entry for proceedings held before Ch. Magistrate Judge Barry S. Seltzer: Scheduling Conference held on 2/13/2013. (Digital 14:00:00.) (at) (Entered: 02/13/2013)
02/14/2013	103	Clerks Notice of Docket Correction re <u>102</u> Mins Scheduling Conference. Document Filed in Wrong Case ; Document restricted and docket text modified. Document refiled in correct case #13-80021-CIV-COHN/SELTZER. (at) (Entered: 02/14/2013)
<u>03/14/2013</u>	<u>104</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS and CLOSING CASE for <u>57</u> Motion for Miscellaneous Relief, filed by Daniel Imperato, <u>64</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>31</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>40</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>33</u> Motion for Default Judgment filed by Daniel Imperato, <u>46</u> Motion for Miscellaneous Relief, filed by Daniel Imperato, <u>44</u> Motion to Vacate filed by Daniel Imperato, <u>56</u> Motion for Miscellaneous Relief, Motion to Dismiss,, filed by Daniel Imperato, <u>41</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>63</u> Motion to Produce, filed by Daniel Imperato, <u>55</u> Motion to Dismiss, filed by Daniel Imperato, <u>37</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>58</u> Motion to Amend/Correct, filed by Daniel Imperato, <u>49</u> Motion for Miscellaneous Relief filed by Daniel Imperato, <u>82</u> Motion for Miscellaneous Relief filed by Daniel Imperato, <u>36</u> Motion to Dismiss, Motion for Summary Judgment filed by Daniel Imperato, <u>83</u> Motion for Summary Judgment, Motion to Dismiss, Motion for Attorney Fees, filed by Daniel Imperato, <u>65</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>53</u> Motion to Dismiss filed by Daniel Imperato, <u>71</u> Motion for Miscellaneous Relief, Motion to Compel,, filed by Daniel Imperato, <u>43</u> Motion for Miscellaneous Relief, Motion to Dismiss,, filed by Daniel Imperato, <u>79</u> Motion for Discovery, Motion for Miscellaneous Relief,, filed by Daniel Imperato, <u>68</u> Motion for Hearing filed by Daniel Imperato, <u>72</u> Motion for Summary Judgment, Motion to Dismiss, Motion for Miscellaneous Relief,, filed by Daniel Imperato, <u>34</u> Motion for Summary Judgment, Motion to Dismiss, Motion for Miscellaneous Relief,,, filed by Daniel Imperato, <u>45</u> Response to Motion, filed by Securities and Exchange Commission, <u>42</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>99</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel Imperato, <u>38</u> Motion for Summary Judgment, Motion to Dismiss filed by Daniel

Exhibit

		Imperato, <u>75</u> Motion for Miscellaneous Relief filed by Daniel Imperato, <u>59</u> Motion to Dismiss filed by Daniel Imperato, <u>30</u> Motion for Miscellaneous Relief, filed by Daniel Imperato, <u>67</u> Motion for Default Judgment filed by Daniel Imperato, <u>81</u> Motion to Dismiss, Motion for Miscellaneous Relief filed by Daniel Imperato, <u>50</u> Motion to Dismiss filed by Daniel Imperato, <u>47</u> Motion for Miscellaneous Relief filed by Daniel Imperato, 70 Motion to Produce filed by Daniel Imperato, <u>54</u> Motion for Miscellaneous Relief, Motion to Dismiss,,, filed by Daniel Imperato, <u>80</u> Motion for Clarification filed by Daniel Imperato, <u>48</u> Motion to Dismiss filed by Daniel Imperato ; adopting Report and Recommendations re <u>101</u> Report and Recommendations. Certificate of Appealability: <u>DENIED</u> . Signed by Senior Judge Kenneth L. Ryskamp on 3/14/2013. (lk) (Entered: 03/14/2013)
05/06/2013	<u>105</u>	MOTION for Summary Judgment <i>and Memorandum of Law In Support</i> by Securities and Exchange Commission. Responses due by 5/23/2013 (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Appendix 001-083, # <u>3</u> Appendix 084-134, # <u>4</u> Appendix 135-208, # <u>5</u> Appendix 209-213B, # <u>6</u> Appendix 214-221, # <u>7</u> Appendix 222-244, # <u>8</u> Appendix 245-264, # <u>9</u> Appendix 265-271, # <u>10</u> Appendix 272-290, # <u>11</u> Appendix 291-312, # <u>12</u> Appendix 313-322, # <u>13</u> Appendix 323-342, # <u>14</u> Appendix 343, # <u>15</u> Appendix 345-351, # <u>16</u> Appendix 352-357, # <u>17</u> Appendix 358-376) (McCole, Timothy) (Entered: 05/06/2013)
05/06/2013	<u>106</u>	NOTICE by Securities and Exchange Commission re <u>105</u> MOTION for Summary Judgment <i>and Memorandum of Law In Support Certificate of Service</i> (McCole, Timothy) (Entered: 05/06/2013)
05/06/2013	<u>107</u>	CERTIFICATE OF SERVICE by Securities and Exchange Commission re <u>105</u> MOTION for Summary Judgment <i>and Memorandum of Law In Support</i> (ls)(See Image at DE # <u>106</u>) (Entered: 05/07/2013)
05/07/2013	<u>108</u>	Clerks Notice to Filer re <u>106</u> Notice (Other). Wrong Event Selected; ERROR - The Filer selected the wrong event. The document was re-docketed by the Clerk, see [de#107]. It is not necessary to refile this document. (ls) (Entered: 05/07/2013)
05/07/2013	<u>109</u>	RESPONSE to <u>105</u> MOTION for Summary Judgment <i>and Memorandum of Law In Support</i> by Daniel Imperato. (tpl) (Entered: 05/07/2013)
05/08/2013	<u>110</u>	MOTION by Defendant Opposing the Reopening of the Case Now Closed Based on Erroneous Excuse of EFC Error by Daniel Imperato. (tpl) (Entered: 05/08/2013)
<u>05/09/2013</u>	<u>111</u>	Defendant's SETTLEMENT AGREEMENT to DE <u>105</u> Case Closed by Order of this Court by Daniel Imperato (tpl) Modified text on 5/10/2013. (tpl). (Entered: 05/10/2013)
05/10/2013	<u>112</u>	Defendants RESPONSE to <u>105</u> MOTION for Summary Judgment with Explanations as to why the Commission has Retaliated and Tried to Usurp this Courts Authority filed by Daniel Imperato. Replies due by 5/20/2013. (tpl) (Entered: 05/10/2013)

Exhibit.

9:12-cv-80021-KLR Securities and Exchange Commission v. Imperiali, Inc. et al
 Kenneth L. Ryskamp, presiding
 James M. Hopkins, referral
 Date filed: 01/09/2012
 Date of last filing: 10/30/2013

Deadlines/Hearings

Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
<u>26</u>	☉ Response Deadline	05/10/2012	05/29/2012		03/14/2013
<u>27</u>	☉ Response Deadline	05/22/2012	06/08/2012		05/23/2012
<u>31</u>	☉ Response Deadline	05/23/2012	06/11/2012		03/14/2013
<u>34</u>	☉ Response Deadline	05/25/2012	06/11/2012		03/14/2013
<u>36</u>	☉ Response Deadline	05/29/2012	06/15/2012		03/14/2013
<u>37</u>	☉ Response Deadline	05/31/2012	06/18/2012		03/14/2013
<u>38</u>	☉ Response Deadline	06/01/2012	06/18/2012		03/14/2013
<u>45</u>	☉ Reply Deadline	06/07/2012	06/18/2012		03/14/2013
<u>40</u>	☉ Response Deadline	06/04/2012	06/21/2012		03/14/2013
<u>41</u>	☉ Response Deadline	06/05/2012	06/22/2012		03/14/2013
<u>52</u>	☉ Reply Deadline	06/12/2012	06/22/2012		03/14/2013
<u>42</u>	☉ Response Deadline	06/06/2012	06/25/2012		03/14/2013
<u>43</u>	☉ Response Deadline	06/07/2012	06/25/2012		03/14/2013
<u>44</u>	☉ Response Deadline	06/07/2012	06/25/2012		03/14/2013
<u>61</u>	☉ Motion Hearing	06/15/2012	06/26/2012 at 02:00 PM		06/26/2012
<u>48</u>	☉ Response Deadline	06/11/2012	06/28/2012		03/14/2013
<u>50</u>	☉ Response Deadline	06/11/2012	06/28/2012		03/14/2013
<u>55</u>	☉ Response Deadline	06/11/2012	06/28/2012		03/14/2013
<u>53</u>	☉ Response Deadline	06/12/2012	06/29/2012		03/14/2013
<u>54</u>	☉ Response Deadline	06/12/2012	07/02/2012		03/14/2013
<u>56</u>	☉ Response Deadline	06/13/2012	07/02/2012		03/14/2013
<u>58</u>	☉ Response Deadline	06/15/2012	07/02/2012		03/14/2013
<u>59</u>	☉ Response Deadline	06/15/2012	07/02/2012		03/14/2013

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<u>64</u>	<input type="radio"/> Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>65</u>	<input type="radio"/> Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>71</u>	<input type="radio"/> Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>72</u>	<input type="radio"/> Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>73</u>	<input type="radio"/> Response Deadline	06/19/2012	07/06/2012		06/22/2012
<u>74</u>	<input type="radio"/> Response Deadline	06/19/2012	07/06/2012		06/22/2012
<u>79</u>	<input type="radio"/> Response Deadline	06/22/2012	07/09/2012		03/14/2013
Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
<u>80</u>	<input type="radio"/> Response Deadline	06/22/2012	07/09/2012		03/14/2013
<u>81</u>	<input type="radio"/> Response Deadline	06/25/2012	07/12/2012		03/14/2013
<u>83</u>	<input type="radio"/> Response Deadline	06/25/2012	07/12/2012		03/14/2013
<u>60</u>	<input type="radio"/> Amended Pleadings Deadline	06/15/2012	07/13/2012		03/14/2013
<u>60</u>	<input type="radio"/> Joinder of Parties Deadline	06/15/2012	07/13/2012		03/14/2013
<u>90</u>	<input type="radio"/> Reply Deadline	07/19/2012	07/30/2012		03/14/2013
<u>91</u>	<input type="radio"/> Redaction Request Deadline	07/24/2012	08/17/2012		03/14/2013
<u>91</u>	<input type="radio"/> Redacted Transcript Deadline	07/24/2012	08/27/2012		03/14/2013
<u>94</u>	<input type="radio"/> Settlement Conference	09/14/2012	10/11/2012 at 09:30 AM		10/11/2012
<u>91</u>	<input type="radio"/> Release of Transcript Restrict	07/24/2012	10/25/2012		03/14/2013
<u>99</u>	<input type="radio"/> Response Deadline	10/10/2012	10/29/2012		03/14/2013
<u>101</u>	<input type="radio"/> Objections to R&R Deadline	01/14/2013	01/31/2013		03/14/2013
<u>60</u>	<input type="radio"/> Discovery Deadline	06/15/2012	04/08/2013		03/14/2013
<u>60</u>	<input type="radio"/> Dispositive Motions Deadline	06/15/2012	05/06/2013		03/14/2013
<u>112</u>	<input type="radio"/> Reply Deadline	05/10/2013	05/20/2013		
<u>105</u>	<input type="radio"/> Response Deadline	05/06/2013	05/23/2013		05/07/2013
<u>115</u>	<input type="radio"/> Response Deadline	05/15/2013	06/03/2013		10/08/2013
<u>130</u>	<input type="radio"/> Reply Deadline	09/11/2013	09/23/2013		
<u>127</u>	<input type="radio"/> Response Deadline	09/09/2013	09/26/2013		10/08/2013
<u>133</u>	<input type="radio"/> Response Deadline	09/12/2013	09/30/2013		10/08/2013
<u>134</u>	<input type="radio"/> Response Deadline	09/16/2013	10/03/2013		10/08/2013

<u>135</u>	☉ Response Deadline	09/16/2013	10/03/2013		10/08/2013
<u>13</u>	☉ Objections to R&R Deadline	09/25/2013	10/15/2013		10/01/2013
<u>143</u>	☉ Response Deadline	09/30/2013	10/18/2013		10/08/2013
<u>144</u>	☉ Response Deadline	09/30/2013	10/18/2013		10/08/2013
<u>146</u>	☉ Response Deadline	09/30/2013	10/18/2013		10/08/2013
<u>152</u>	☉ Response Deadline	10/04/2013	10/21/2013		10/08/2013
<u>156</u>	☉ Response Deadline	10/04/2013	10/21/2013		10/08/2013
<u>157</u>	☉ Response Deadline	10/04/2013	10/21/2013		10/08/2013
<u>60</u>	☉ Pretrial Stipulation DDL	06/15/2012	10/23/2013		03/14/2013
Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
<u>165</u>	☉ Response Deadline	10/08/2013	10/25/2013		10/16/2013
<u>166</u>	☉ Response Deadline	10/09/2013	10/28/2013		10/16/2013
<u>168</u>	☉ Response Deadline	10/10/2013	10/28/2013		10/16/2013
<u>169</u>	☉ Response Deadline	10/10/2013	10/28/2013		10/16/2013
<u>170</u>	☉ Response Deadline	10/10/2013	10/28/2013		10/16/2013
<u>77</u>	☉ Calendar Call	06/22/2012	10/31/2013 at 01:15 PM		<u>03/14/2013</u>
<u>171</u>	☉ Response Deadline	10/15/2013	11/01/2013		
<u>77</u>	☉ Jury Trial	06/22/2012	11/04/2013		03/14/2013
<u>187</u>	☉ Miscellaneous Hearing	10/29/2013	11/06/2013 at 11:00 AM		

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

Case No.13-14809

Lower court 9:12-cv-80021

Daniel Imperato
Appellant

v

Securities and exchange commission
Appellee

Nov 15th 013

Motion by appellant for prayer for relief staying the execution of the plaintiff final judgment with good cause until appeal process is final and decided. (de 170) , (de 134) and or except the insurance policies for collateral (de 170) & (170) & frap (b)(a),(1),(a), (c), (b) (ins policies as collateral) and frap 30 (b) use of original docketed documents. Recuse consul for fear of my life and bad faith.(de 145).

The appellant comes to this court showing good cause and prays for mercy on him with staying the final judgment order and collection process due to circumstances beyond ones control. And order use of original records.

1. Appellant is handicapped, blind in one eye with out legal or secretarial support and doesn't type well.
2. Appellant is financially insolvent ,destroyed and devastated by the final order issued (de 195) I cant pay my own index costs and ink for printing.
(see de 184 &185)appellants current financial statement and breeched settlement agreement with judgment order (de 195)Imperato only.
(de 111) (de 116). For these documents.

3. Appellant now way in his life could pay such excessive amounts adjudged against him with no evidentiary hearings and no due process of law (de 168) , prior to the summary judgment (de 105) (de 116) (de 137) (de 163) order and recommendation of the magistrate that was not

Exhibit AP A-C

consented(de 64) by both parties.(de 172)

4. The judgments were order with passion by the appellee with prejudice and the appellant prays this court will find the facts in his appeal brief. (146), judgment accrues interest for my life putting me in custody And unable to earn and live for life ,liberty and the pursuit of happiness ,all taken away with false judgments on an innocent human being.

a. appellant moves this appeal court to remove timothy mc cole as consul from this case , appellee cant not deal with him or trust in him and is fearful of his life as well as a fair and honest legal means or justice. Read (de 145), Appellee cant not have a fair appellee if he is forced to deal with timothy .s Mc cole .the plaintiff has plenty of layers why this one ? Passion ,conflict and prejudice.

5. Cause and request based on merits that the lower court ignored my motions and stricken them and appellant begs this court to review ,acknowledge and rule ASAP. With in 28 days time period .

With out my home and my furniture of which is all I have see financial statements (de 180,184,116 exhibits) ,appellant will not be able to finish the appeal and have any appeal at all. /

a. A very strong showing of the likely hood on the merits appellant will overturn the lower court rulings.(no evidentiary hearings and trial denied)

b. the aggravated party will be irreparably injured absent the stay .

c. absent the stay my family will not be able to live and have a home and furniture's which will cause injure to others and child.

Affidavit

*My name is Daniel Imperato ,I prepared this document I reside at, Redacted
Redacted Redacted I as best I could
Redacted declare that to the best of my knowledge and belief,
that the statements made in this document are true ,correct and complete.*

AP B

As well as all my previous pleading ,filings statements and exhibits that are filed with this court.

Defendant is handicapped, confused and distraught and has been seriously affected and damaged by the reopening of this case. The defendant is insolvent and any final judgment and or absent of stay would destroy his ability to earn as well as his ability to get work to pay for any judgment or disgorgement which is inequitable and unwarranted based on the merits of violations of court procedures and due process of law. (de 145)

State of Florida Palm beach county

Sworn to and subscribed before me the undersigned notary public ,this day of . 2013 My commission expires

___ personally known ___ produces identification type produced _____

Notary public

Daniel IMPERATO pro se

Redacted

West palm beach Florida. 33401

Redacted

Rule 25 (c) (1) (d)

I hereby certify a true and correct copy of the forgoing was sent by us mail to, Securities exchange commission , Timothy s. Mc Cole 801 cherry st. 19th fl. Fort worth , tx. 76102 MCCOLET@SEC.GOV _____

Notice to the court and plaintiff ,email to appellant is not legal service because it is not reliable based on the fact that appellant is financially insolvent and does not always have internet or telephone service due to financial situation and the damage cause by this false complaint and ill begotten judgments.

AP C

Imperato Denies Allegations

In response to allegations made against Daniel Imperato, founder of Hercules Global Interests Inc., formerly New Millennium Development Group Inc., Imperato denies all accusations made by the January 17th article written about him in the Boca Raton News.

West Palm Beach, FL (PRWEB via PR Web Direct) January 21, 2005 -- In response to allegations made against Daniel Imperato, founder of Hercules Global Interests Inc., formerly New Millennium Development Group Inc., Imperato denies all accusations made by the January 17th article written about him in the Boca Raton News.

Hercules Global Interests Inc. and Daniel Imperato, will deal with the matter in accordance with the law and may seek legal remedies for the damages caused on behalf of

Hercules Global Interests Inc. shareholders and for his own concerns in clarification of his good name.

About Hercules Global Interests Inc.

Hercules Global Interests Inc., a West Palm Beach based company, is a consulting firm focusing on business expansion and globalization. Hercules Global Interests Inc. has been helping affiliated companies and selected companies to understand business in general, and providing the knowledge to implement growth plans to expand their products and services around the globe.

Media Contact:
Danny Mangru
561-208-8471

#

 PRWeb Press Release Newswire v0

CONTACT INFO

Danny Mangru
Hercules Global Interests Inc.
561-208-8471
E-mail us Here

ATTACHED FILES

No files were found for this release.

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Exhibits M-1-8

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Details, photos, location
contact info of homes for
site

Ads

Palm Beach Businessman Sabotaged

February 4, 2005 -- Daniel J. Imperato, a Palm Beach County businessman, has confirmed with F Miller of the Palm Beach Sheriff's Office (PBSO), and Sgt. Anthony Terella, of the Organized Crime Bureau, that there is no official investigation within their organizations pertaining to the contents January 17th article regarding Imperato as published in the Boca Raton News. Neither Imperato's nor the name of New Millennium Development Group (NMDG) does not appear in any of their databases in relation to any official investigation.

NMDG now Hercules Global Interests Inc., set out to build a \$5 billion sub-sea fiber optic cable system land in and connect 70 countries worldwide. The company had approximately 30 agreements, or Memorandums of Understanding (MOU), signed with those countries with the balance under negotiation. Bank of America was the lead financial advisor along with Arthur D. Little, who estimated the revenue models.

NMDG was strategically setup around the world with offices in West Palm Beach, Washington DC, Madrid, Rome, London, Hong Kong, Singapore, Chile, and other affiliates around the globe.

Mr. Imperato said, "It is a shame to see the media do what they have done to me and to my mission. I have worked all of my life for the principles of honor and integrity and will stand by those principles concerning all matters."

In order to clear his name, Imperato has requested to the Boca Raton News that they verify all of the facts presented in their January 17, 2005 article and then retract their article. Additionally, both Ketter and Scott Johnson, both of Massachusetts, have been notified to cease and desist with what Imperato characterizes as "their tortuous interference activities and defamation of character."

Ketter, allegedly, on several occasions, has interfered with then NMDG, now Hercules Global Interests Inc., by staging a coup in the past to overthrow Mr. Imperato's leadership and allegedly participated in unethical conduct by a shareholder in conjunction with previous board members.

One of those board members, Martin Goldstein, then CFO of NMDG, was mentioned in a lawsuit filed on behalf of NMDG and its shareholders against First Union Bank of West Palm Beach for inappropriate signatures that were accepted by the bank.

NMDG settled the matter in its favor prior to turning over the control of the company to third parties back in 2001.

Another one of Ketter's associates, Robert Mezloh, former Executive Vice President and acting CEO of the company, was the highest paid executive within the company with a first-class expense account. Mezloh, a former long-time executive with telecommunications competitor Tyco, a company wide

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known for its problems with the Securities and Exchange Commission (SEC) regarding its account illegal business practices, also resigned from the company.

When asked about the article Imperato pointed out its many inconsistencies. For one, Imperato is 45 years old, but 46 years old. Additionally, the company he runs is not Hercules Global Solutions, but Hercules Global Interests Inc.

What is true is that NMDG, like many other companies, was widely hit in a stock market crash that lost approximately \$10 trillion. Approximately \$3 trillion was in telecom of which Imperato says he lost approximately 9 cents, a claim supported by NMDG's bookkeeping. Audited statements for previous years and final draft audits for the years in question can be obtained from the company's auditor & Co., a New York based firm.

It is also true that the company leased a Bentley, and used it as a transport vehicle in accordance with accounting rules. The total lease price of the vehicle was \$90,000 not \$9 million.

When asked regarding the validity of his Catholic upbringing Imperato stated, "It is true that I was raised in a Catholic parish called St. Anthony's church in Revere, Massachusetts, as a young man and in fact lived across the street from the church so I don't know what church they went to. Furthermore, I was presented a papal knighthood and I am honored for such appointment specifically because it relates to the good that I've done my family, its name, and the honor that goes with the title."

Imperato's Papal Knighthood, amongst many other things, was substantiated in a March 4, 2004 article printed by the Boca Raton News. Coincidentally, a few months later after the article was printed an email circulated to a group of NMDG shareholders that came from Ketter, accusing Imperato of paying \$9 million for his papal knighthood. Interestingly enough, NMDG did not raise \$9 million, but raised approximately \$7.8 million according to Imperato. Obviously Ketter has accused him of spending money and then some.

"As for Boca Raton National Bank, I never had an account there," stated Imperato, "and I think it has been closed since the 1970's. It has been suggested to me that a rinky-dink investigation firm in Boca Raton, with offices next to the Boca Raton News have been paid to participate and collaborate in order to sabotage me and have the Boca Raton News print such an untrue and derogatory article."

Imperato said it's a shame that the damage of this article has hurt him, but most importantly Hercules Global Interests Inc., formerly NMDG, and its 400+ shareholders.

Imperato says his strategy proved itself when the crash came and most of his competitors went bankrupt. He asserted, "We didn't. We're still alive and have been planning a new global network meeting today's environment."

Since reacquiring the company in 2004, Imperato has utilized his own time and money to divest the NMDG portfolio and dividend shares of other companies' interests that was generated primarily through Imperato's personal efforts. Those dividends consist of: DocUCourier Corporation, Universal Broadband E-Education Network (EEN), and Exus Global which is still in NMDG's name pending legal advice.

When asked about his involvement with these companies Imperato responded, "It is not my responsibility to see these companies through success or failure. Although it was my commitment to assist these companies' plans as a consulting company should. It is up to the shareholders to contact the appropriate directors of each individual corporation to find out the status of their ownership in these companies."

Hercules Global Interests Inc., is a consulting company and the name change occurred in August of 2004 with the commitment to reactivate the company and bring it to a higher level of success. The corporation is non-operational today and has a public registration statement in process to become a public company. Mr. Imperato has been weighing the opportunity to, as he states, "re-enter the game, but with p

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this nature doing such tortuous things, we would like to see them out the NMDG shareholder list, their shares, take their write off, and get off."

Mr. Imperato believes that, "this tortuous, defaming, and deceiving article, has no merit, fact, or other than another conspiracy by Mr. Robert Ketter, to try to ruin my good name and destroy the potential for Hercules Global Interests Inc. and its 400+ shareholders to have success and hopeful return on investment. I can assure you that a great plan has been put in place to achieve great success for Hercules Global Interests Inc. to reestablish itself as a global leader. The question is why would people who stand chance to benefit take it upon themselves to consider their tax write-offs when have no right to interfere tortuously with the future of 400+ peoples' investment and most importantly their lives."

Imperato also wished to respond to claims regarding his heritage and his alleged connections. Imperato stated, "In regards to my own life, just because I am an Italian American with the name Imperato have relations in Rome doesn't sum up to the ridiculous accusations made pertaining to my connections. For the record, we will seek legal remedies and justice for all parties concerned."

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THE NEWS

Updated on February 9, 2005

Rest Of This Afternoon: Sunny

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PBC businessman under investigation Imperato allegedly sent \$9 million to offshore account during telecommunications crash

Published Monday, January 17, 2005 1:09 am
by Sean Salas

A Palm Beach County businessman is under investigation for allegedly pocketing \$9 million of shareholder money in an offshore account during the 2003 telecommunications crash, the Boca Raton News has learned.

Although the Palm Beach Sheriff's Office (PBSO) would not comment officially on the case this weekend, an agent with the department's Organized Crime Bureau confirmed that investigators are looking into businessman Daniel Imperato's dealings as CEO of New Millennium Development Group. The self-described "global business minister," whose offices are in West Palm Beach and Boca Raton, denied any wrongdoing.

"There's never been any fraud," Imperato, 47, told the Boca News. "The company's books and records are clean. I've been around for 30 years, I'm as straight as an arrow, I'm a good kid, I've done what I have to do in life, but the telecommunications market crashed and I'm not Superman."

Imperato said the Securities and Exchange Commission cleared New Millennium's books before the crash, when the company's 500 seed investors were preparing to go public.

Several former investors of New Millennium, which had sought to ride the fiber optic coattails of now-defunct Global Crossing, tipped the Boca News off to the investigation earlier this week.

They said they contacted investigators not because of the money they lost, which they can write off, but because they discovered - in a March 4, 2004 Boca News article and a Dec. 13 Investor's Business Daily follow-up - that Imperato was trying to reinvent himself with a company called Hercules Global Solutions.

Scott T. Johnson, a Massachusetts investor who sank \$100,000 in New Millennium, said he started digging for details about Hercules last month. "I just don't want anyone else to be duped into his web of lies," Johnson said. "We lost our money, it was a bad business decision, and we'll move on. But to see him going after other people is too much."

Last week, Johnson said he discovered what looked like the original New Millennium investment documents listed under new names and dates on Imperato's Web site. He said the web address was subsequently password-protected after he and other shareholders questioned Imperato about it and other claims.

"His Web site said he had merged New Millennium Group 100 percent with

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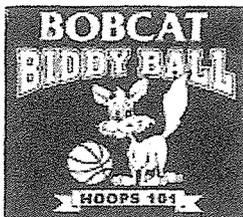
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the Hercules group, but we shareholders knew nothing about it," Johnson said.

Johnson and other shareholders said they started becoming suspicious when Imperato, who they say hadn't invested a dime in the company, bought a Bentley and started living it up on a private expense account prior to the crash.

"When the crash came, money started disappearing, and the company hadn't even started. It was all seed money," Johnson said. "We demanded an accounting, but Daniel replied with indignation about his integrity being attacked. He had every excuse known to man, but never an audited return or other accounting of where that money went."

Shareholder Robert Ketter of Boston, who invested \$110,000 in New Millennium, said he eventually hired private investigators in an effort to verify some of the Massachusetts-born Imperato's most outrageous claims, for example, that he had assurances of financing for New Millennium from big-name investors as well as a papal knighthood.

"We're just trying to verify where our money went," Ketter said. "This guy is bad news. He even claimed once that he went to my Catholic parish in Boston, but the priest couldn't verify either that or his papal knighthood." Ketter said his latest private eye, a well-known former fraud investigator with Boca Raton National Bank, recently turned up a number of offshore accounts where the money could have gone.

The investigator, contacted for comment, didn't want to be quoted for fear of what he called Imperato's "mob connections." But he confirmed that he believed the money had been transferred to outside accounts.

The shareholders also said Imperato conducted insider trading and that Bob Mezloh, former chief operating officer, and Martin Goldstein, former CFO, allegedly resigned for misappropriation just before the telecommunications industry crash.

But Imperato said he would sue Johnson, Ketter and several others for slander.

"These people are full of baloney," Imperato said. "They all filled out agreements and signed off on their risk and rewards factors. They're crybabies. They should go off in the corner and suck their thumbs, because they invested in the stock market and the stock market crashed."

He added, "This is just a small group of bad people who should be locked up. God will take care of them and they will be punished severely."

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StreetSignals Radio Show Features Hercules Business Ministry

Daniel Imperato has begun one of the most groundbreaking forays into business through the concept of youth ministry. He has assembled a group of highly talented young individuals to go along with his 30 years of global business experience in order to establish a global empire.

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(PRWEB) January 7, 2005 – StreetSignals (<http://www.streetsignals.com>), a nationwide financial radio show and global webcast, produced by Investrend Broadcast (www.investrendbroadcast.com), features Daniel Imperato, global business minister for Hercules Global Interests (<http://www.herculesglobalinterests.com>).

ATTACHED FILES

There are no multimedia files attached to this release. If this is your release you may add images or other multimedia files through your login.

Interviewed by StreetSignals host Drew Connolly was Imperato, who talked about Hercules business ministry for youth between 18 to 25 years old, and a current new public company, DocuCourier Corp., being developed by a 22 year old CEO who is following the Hercules philosophy and business plan.

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An article in the Boca News earlier this year profiles Imperato: To his subjects, he's Sir Daniel Imperato, Papal Knight and Knight of Malta. To the African Center Foundation for AIDS and HIV, he is a member of the board. To his clients all over the world, he is a Godsend.

What does he call himself? Daniel Imperato, Global Business Minister.

An international presenter on global business and the founder of a company of his namesake (Imperato Organization), Imperato says he is a man of world power and global wisdom.

From Italy to Argentina, China to Israel, Imperato connects businesses to global markets in more than 70 countries, and it all started with a little bit of "street-smarts," he said.

Imperato grew up as an altar boy on the rough side of Boston, where he played hockey and developed keen insight into business and interpersonal interaction through a variety of occupations. After learning from experiences as a busboy, waiter, insurance salesman, auto salesman, commodities broker, and assistant auctioneer and appraiser, Imperato decided that not only did he want to see the world, but he wanted to be connected to the people around it.

"I pursued this field to get the greatest education one could have through tremendous global knowledge and experience, and then to give back to the people what I was able to gain," said Imperato.

His pursuit of global business began at age 18 when he founded, financed

and operated a multi-million dollar international gold jewelry business with the help of a college marketing professor.

He went on to become an international adviser facilitating strategic partnerships for corporations looking to expand worldwide and advised shopping center developers and landowners on international retail and tenant leasing to access global capital.

Imperato's most recent project involved planning and developing a multi-billion dollar sub-sea fiber optic cable connecting 70 countries worldwide.

And now he's using his experience to guide others. Imperato gives presentations all over the world, with the three most popular being "Global Business Favor," "Global Political Favor," and "Global Religious Favor," which all give advice about how to win favor and break down international barriers.

"In many parts of the world, religion permeates the business environment and religious leaders significantly influence business decisions," said Imperato. "I specialize in helping businesses reach the globe at Godspeed."

Although he lives in West Palm, Imperato has what he calls "a sanctuary Boca office," in which he helps Boca businesses expand globally.

The program airs live on radio stations from coast to coast in the U.S., including WLIE 540 AM in the massive New York City metropolitan market. It is heard live as well as archived on the web at <http://www.streetsignals.com> and www.businessstalkradio.net, and bridges Main Street to Wall Street.

Business TalkRadio is the pioneering and leading national network for financial news. It also features The Investors Edge with Gary Kaltbaum, The Ray Lucia Show, James Dicks: The Active Investor, American Scene with Steve Crowley, Business Talk This Morning with David Weiss and Amanda Clarke, Doug Stephan's Good Day, WizeTrade Live with George Thompson and Tony Marino, the Mark Seleznov Show, The Gabe Wisdom Show, Winning On Wall Street With Marc Mandel, and Corporate Strategies with Tim Connolly and Mike King.

Two of the shows, American Scene, Monday through Friday at 9 a.m., and Corporate Strategies, Sunday at 9 p.m., are also co-sponsored by Investrend Broadcast.

Business TalkRadio Network listener / call-in profiles show the audience is 60% male and 40% female; that 47% are ages 25-54, 99% are 25+, 75% are married, 51% are top management, 69% college graduates, 84% homeowners, 95% own 2 or more vehicles, with 70% spending over \$35,000 on last new car, 83% have investment portfolios, 72% travel for business, 25% have investments over \$200,000, and average household income is \$75,000.

Segments on StreetSignals" include a "newsmaker spotlight," FinancialWire" (www.financialwire.net) news "Hot Off the Wire," commentary by expert editorial board members, technical and fundamental analysis, a "Spotlight Forum On-The-Air," market timing, investor resources, and a FirstAlert" blueprint for Wall Street Next Week.

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